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EXAMINER	
SAINT CYR, JEAN D	

ART UNIT	PAPER NUMBER
2425	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/699,616	JAUNIN ET AL.	
	Examiner	Art Unit	
	JEAN D. SAINT CYR	2425	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4-25,35-39,41 and 42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 4-25, 35-39, 41-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This action is in response to applicant's amendment filed on 09/12/2008. Claims 1, 4-25, 35-39, 41-42 are still pending in the current application. Claims 32-34 were cancelled. **This action is made FINAL**.

Response to Arguments

Applicant's arguments with respect to claims 1, 4-25, 35-39, 41-42 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 4-7, 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satomi et al in view of view John further in view of Banes et al, US No. 20050038906.

Re claim 1, Satomi et al disclose the first request includes a log session identifier(a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037) and a first log ordering ID(see fig.7, related session information); and

the content provider includes a plurality of content servers (see fig.1);

processing the first request on a first content server of the plurality of content servers to find a first result (transmits contents of the execution request to the AP server 106. The AP server 106 extracts data required for the execution from the DB server 107, and executes the services, 0033);

incrementing the first log ordering ID to generate a second log ordering ID (see fig.4 where log information ID is incremented);

storing a log entry in a log on the content server that includes: the log session ID; and the first log ordering ID or the second log ordering ID (session information included in log information held by each server is recorded in a session-information management table, 0012; a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037; see fig.7, related session information)

wherein the second request includes the log session ID and the second log ordering ID(a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037);

processing the second request on a second content server of the plurality of content servers to find a second result (0033);

incrementing the second log ordering ID to generate a third log ordering ID (see fig.4 where log information ID is incremented);

storing a log entry in a log on the second content server that includes: the log

session ID (session information included in log information held by each server is recorded in a session-information management table, 0012); and

the second log ordering ID or the third log ordering ID; and
generating a second response for communicating over the network to the client, wherein the second response includes: the third log ordering ID designated for use by the client in a third request to the content provider; and the second result of the processed second request (see fig.7, related session information where every request has a specific log ID).

But Satomi et al did not disclose receiving a first request by a load balancer at a content provider from a client over a network, receiving a second request by the load balancer at the content provider from the client,

generating a first response at the content provider for communicating to the client over the network, wherein the first response includes:

the second log ordering ID designated for use by the client in a second request to the content provider; and the first result of the processed request

However, John et al disclose the requests are directed via load-balancing component 125, shown as a Layer 4 switch in FIG. 1, 0050 and see fig.4.

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Satomi with the invention of John for the benefit of limiting traffic in requesting data.

And Banes et al disclose generating a first response at the content provider for communicating to the client over the network, wherein the first response includes :the second log ordering ID designated for use by the client in a second request to the

content provider ; and the first result of the processed request (see fig.2; client 102 extracts session identifier 210 from host session initiation message 204 and retains session identifier 210 for possible future use to continue the established session, 0057).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Satomi in view of John with the invention of Banes for the benefit of allowing the users to process their next request easily.

Re claim 4, Satomi et al disclose , further comprising: initiating the log session; and generating the log session ID(a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037).

Re claim 5, Satomi et al disclose wherein the log entry (see fig.2, log entry) further comprises data that describes the processing of the request (series of execution steps realized by the functions of these servers, the Web server 105 receives an execution request from the Web client 101, and then transmits contents of the execution request to the AP server 106. The AP server 106 extracts data required for the execution from the DB server 107, and executes the services, 0033).

Re claim 6, Satomi et al disclose wherein the request is selected from the group consisting of:
an order for a good or service that is available for purchase; and
an order for content that is available for broadcast by the content provider (the system provides services by use of three kinds of servers, 0031).

Re claim 7, Satomi et al disclose One or more computer-readable media comprising computer-executable instructions that, when executed, perform the method as recited in claim 1(It is also possible to store a program for executing the method of

the present invention described above in a storage medium that can be read by a computer, and then to load this program into a memory to execute it, 0075).

Re claim 16, see rejection on claim 1.

Re claim 17, Satomi et al disclose further comprising a log server to: initiate the log session with the client; and generate the log session ID that references the log session (a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037).

Re claim 18, Satomi et al disclose wherein the data describes an aspect of the one said action that is selected from the group consisting of: data that had been included in the one or more requests; a time at which the request was received by the one or more applications; a description of the one or more applications that processed the one or more requests; an amount of time taken to process the one or more requests; and
data that was included in a response to the one or more requests(log recorded time information 303 indicating the date and time at which the log entry 301 is recorded, 0033).

Re claim 19, Satomi et al disclose wherein the log entry further comprises a client ID that identifies the client that provided the one or more requests (an identifier used to identify each Web client, 0037).

Re claim 21, Satomi et al disclose wherein the log ordering ID is unique for the one said action (see fig.2, transID).

Claims 8, 10-15, 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satomi et al in view of view Banes et al, US No. 20050038906..

Re claim 8, Satomi et al disclose a content provider comprising a plurality of content servers(a system comprising a plurality of servers connected to each other via a network, 0012), wherein a first content server of the plurality of content servers includes a processor(units of processing , 0040) and memory (a storage medium that can be read by a computer, and then to load this program into a memory to execute I, 0075) configured to maintain: an application that is executable on the processor to(a log entry 301, which is a unit of recording, is added to the log information 209 in order of time recorded, 0036):

process a first request from a client, the first request including a log session identifier and a first log ordering ID(a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037); and

increment the first log ordering ID to a second log ordering ID; and
a log for storing a log entry associated with the first request, wherein the log entry has the log session identifier (ID) that references a log session that includes the request; data that describes an action performed in the processing of the first request (see fig.4 where log information ID is incremented); and

the first log ordering ID or the second log ordering ID representing the sequence in which each said log entry was stored in the log by the content server, wherein the second log ordering ID is designated for use by the client in a second request to the content provider(see fig.4, a sequence of log ordering ID); and.

But Satomi et al did not explicitly disclose wherein the first content server is further configured to generate a response for communication to the client in response to receiving the first request, the response including a result of the processing of the first request and the second log ordering ID.

However Banes et al disclose wherein the first content server is further configured to generate a response for communication to the client in response to receiving the first request, the response including a result of the processing of the first request and the second log ordering ID (see fig.2; client 102 extracts session identifier 210 from host session initiation message 204 and retains session identifier 210 for possible future use to continue the established session, 0057).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Satomi with the invention of Banes for the benefit of allowing the users to process their next request easily.

Re claim 10, Satomi et al disclose, further comprising a log server
to initiate the log session that includes the first request from the client; and generate the log session ID that references the log session (a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037).

Re claim 11, Satomi et al disclose , wherein the data describes an aspect of the action that is performed in the processing of the first request that is selected from the group consisting of: data that had been included in the first request; a time at which the request was received by the application; a description of the application; an amount of time taken to process the first request; and data that was included in a response to the first request(log recorded time information 303 indicating the date and time at which the log entry 301 is recorded, 0033).

Re claim 12, Satomi et al disclose wherein the log entry further comprises a client ID that identifies the client (an identifier used to identify each Web client, 0037).

Re claim 13, Satomi et al disclose wherein the log entry is stored in the memory of

the respective said content server that processed the first request (a log entry 301, which is a unit of recording).

Re claim 14, Satomi et al disclose wherein the first request is selected from the group consisting of: an order for a good or service that is available for purchase; and an order for content that is available for broadcast by execution of the application(the system provides services by use of three kinds of servers, 0031).

Re claim 15, Satomi et al disclose where the log ordering ID is unique for each said action that was performed in the processing of the first request (see fig.2, transID).

Re claim 22, Satomi et al disclose a content server forming a portion of a content provider, the content server comprising: a processor (units of processing, 0040); and

memory configured to maintain one or more applications that are executable on the processor to (a storage medium that can be read by a computer, and then to load this program into a memory to execute, 0075):

process a first request from a client (transmits contents of the execution request, 0033)

increment a first log ordering identifier received from the client with the first request to generate a second log ordering ID; store a log entry that has: a log session ID that references a log session that includes the request; data that describes the processing of the request; and the first log ordering ID received from the client or the-second log ordering ID (see fig.4 where log ordering ID is incremented).

But Satomi et al did not explicitly disclose generate a response for communication to the client over the network, wherein the response includes a result of the processing

of the first request and the second log ordering ID designated for use by the client in a second request to the content provider.

However, Banes et al disclose wherein the first content server is further configured to generate a response for communication to the client in response to receiving the first request, the response including a result of the processing of the first request and the second log ordering ID (see fig.2; client 102 extracts session identifier 210 from host session initiation message 204 and retains session identifier 210 for possible future use to continue the established session, 0057).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Satomi with the invention of Banes for the benefit of allowing the users to process their next request easily.

Re claim 23, Satomi et al disclose wherein the data describes an aspect of an action that is performed to process the first request that is selected from the group consisting of: data that had been included in the first request; a time at which the first request was received by the one or more applications; a description of the one or more applications; an amount of time taken to process the request by the one or more applications; and data that was included in the response to the request(log recorded time information 303 indicating the date and time at which the log entry 301 is recorded, 0033).

Re claim 24, Satomi et al disclose wherein the log entry further comprises a client ID that identifies the client that provided the first request (an identifier used to identify each Web client, 0037).

Re claim 25, Satomi et al disclose the log ordering ID represents the sequence in which a first action is performed to process the first request with respect to a second action that is performed to process the first request (series of execution steps realized

by the functions of these servers, the Web server 105 receives an execution request from the Web client 101, and then transmits contents of the execution request to the AP server 106. The AP server 106 extracts data required for the execution from the DB server 107, and executes the services, 0033).

Claims 9, 35-39, 41-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satomi et al in view of view Banes further in view of John et al, US No. 20040088412.

Re claim 9, Satomi et al did not disclose further comprising a load balancer that: is communicatively coupled to the plurality of content servers; and provides load balancing for the plurality of content servers for the processing of the first request from the client.

However, John et al disclose further comprising a load balancer (see fig.2, load balancer) that: is communicatively coupled to the plurality of content servers; and provides load balancing for the plurality of content servers for the processing of the first request from the client (FIG. 2 depicts servers 80 and 82 operating together as a cluster, receiving requests from load balancer 79, 0006).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to introduce load balancer into the system of Satomi, as taught by John, for the benefit of making the system more efficient in searching for content.

Re claim 35, Satomi et al disclose a network; a client communicatively coupled to the network, and including a processor (units of processing, 0040) and memory that is configured to maintain an interface application that is stored in the memory (a storage medium that can be read by a computer, and then to load this program into a memory to execute it, 0075) and is executable on the processor to communicate one or more requests over a network; and

a content provider that is communicatively coupled to the client over the network, and including (see fig.1, element 208, server):

increment a first log ordering identifier (ID) received from the client with the first request to generate a second log ordering ID; store a log entry on a log on the first content server wherein the log entry has: a log session identifier that references the log session; data that describes the processing of the first request; and
the first log ordering ID or the second log ordering ID, wherein the log ordering IDs represent representing the sequence in which log entries are stored by the plurality of content servers(see fig.4 where log ordering ID is incremented in sequence); and

But Satomi et al did not disclose a load balancer that provides load balancing of the one or more requests received during a log session from the client over the network; and a plurality of content servers that are communicatively coupled to the load balancer, wherein a first content server of the plurality of content servers includes a processor and memory that is configured to maintain one or more applications that are executable on the processor to: process a first request to find a first result

generate a response for communication to the client over the network, wherein the response includes the first result of the processing of the first request and the second log ordering ID designated for use by the client in a second request to the content provider.

However, John et al disclose a load balancer that provides load balancing of the one or more requests received during a log session from the client over the network; and a plurality of content servers that are communicatively coupled to the load balancer, wherein a first content server of the plurality of content servers includes a processor and memory that is configured to maintain one or more applications that are executable on the processor to: process a first request to find a first result(The requests are directed

via load-balancing component 125, shown as a Layer 4 switch in FIG. 1,0050; see fig.4).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Satomi with the invention of John for the benefit of limiting traffic in requesting data.

And Banes et al disclose generate a response for communication to the client over the network, wherein the response includes the first result of the processing of the first request and the second log ordering ID designated for use by the client in a second request to the content provider (see fig.2; client 102 extracts session identifier 210 from host session initiation message 204 and retains session identifier 210 for possible future use to continue the established session, 0057).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Satomi with the invention of Banes for the benefit of allowing the users to process their next request easily.

Re claim 36, Satomi et al disclose wherein the one or more requests are selected from the group consisting of: an order for a good or service that is available for purchase; and an order for content that is available for broadcast by the content provider (the system provides services by use of three kinds of servers, 0031).

Re claim 37, Satomi wherein the content provider further
comprises a log server to: initiate the log session with the client; and
generate the log session ID that references the log session (a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037).

Re claim 38, Satomi et al disclose wherein the data describes an action performed to process the one said request (see fig.7, data related information).

Re claim 39, Satomi et al disclose wherein each said log entry further comprises a client ID that identifies the client that communicated each said request((an identifier used to identify each Web client, 0037).

Re claim 41, Satomi et al did not explicitly disclose, wherein the client is a set-top box.

However, Banes et al disclose wherein the client is a set-top box (set-top boxes, 0119).

It would have been obvious for any person of ordinary skill in the art at that time the invention was to introduce set-top box into the system of Satomi in view of John, as taught by Banes, for the benefit of making the system more compatible.

Re claim 42, Satomi et al disclose wherein each said log entry is stored in the memory of the first content server that processed first request (a log entry 301, which is a unit of recording).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcyr whose phone number is 571-270-3224. The examiner can normally reach on M-F 7:30-5:00 PM EST.If attempts to reach the examiner by telephone are not successful, his supervisor, Brian Pendleton, can be reach on 571-272-7527. The fax number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see htpp://pair-direct.uspto.gov. Should you have questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, dial 800-786-9199(IN USA OR CANADA) or 571-272-1000.

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